

## PART B - FEE(S) TRANSMITTAL



Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or **Fax** (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All future correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

08968 7590 05/17/2006

GARDNER CARTON & DOUGLAS LLP  
 ATTN: PATENT DOCKET DEPT.  
 191 N. WACKER DRIVE, SUITE 3700  
 CHICAGO, IL 60606

08/02/2006 SFELEKE2 00000059 070181 10805939

01 FC:2501 700.00 DA  
 02 FC:1504 300.00 DA

**Certificate of Mailing or Transmission**  
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Irina L. Mikitiouk	(Depositor's name)
<i>I. Mikitiouk</i>	(Signature)
July 28, 2006	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,939	03/22/2004	James R. Rousseau	P2166US	1023

TITLE OF INVENTION: SPORTS EQUIPMENT CONDITIONING APPARATUS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	08/17/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
RINEHART, KENNETH	3749	034-104000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Gardner Carton & Douglas LLP

2 \_\_\_\_\_

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

ETC III LLC

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Morton Grove, Illinois

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 07-0181 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Brian C. Rupp

Date 28 July 2006

Registration No. 35,665

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



**CERTIFICATE OF MAILING  
UNDER 37 CFR 1.8**

**Date of Deposit: July 28, 2006**

I hereby certify that an ISSUE FEE and its enclosures are being deposited with the United States Postal Service with sufficient postage as First Class Mail service under 37 CFR 1.8 on the date indicated above, addressed to:

Mail Stop **ISSUE FEE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Title: SPORTS EQUIPMENT CONDITIONING APPARATUS  
Inventor(s): Rosseau et al.  
Application No.: 10/805,939  
Filing Date: March 22, 2004

**Enclosed:**

1. Transmittal of Payment of Fee(s) (37 CFR 1.311) (3 pgs) and duplicate thereof (3 pgs)
2. Part B – Fee(s) Transmittal of PTOL-85 (1 pg) and duplicate thereof (1 pg)
3. Authorization to charge Deposit Account in the amount of \$1,000.00
4. Return postcard

Irina L. Mikitiouk  
Typed or Printed Name

  
Signature

Docket No.: **P2166US**  
Client No. 078195-0004



PATENT  
Attorney Docket No. P2166US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Art Unit: 3749

Rosseau et al.

Examiner: Kenneth Rinehart

Application No.: 10/805,939

Date of Mailing of "Notice of Allowance  
and Fee(s) Due": May 17, 2006

Filed: March 22, 2004

For: SPORTS EQUIPMENT CONDITIONING APPARATUS

**TRANSMITTAL OF PAYMENT OF FEE(S) (37 CFR 1.311)**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants hereby pay the issue fee and the publication fee for the above-identified patent application.

Application Status

This application is on behalf of:

- ☐ other than a small entity or ☒ a small entity.
- ☐ The verified statement ☐ is attached or ☐ was filed on \_\_\_\_\_.

Assignment of Application

- ☒ This application is assigned to ETC III LLC, of Morton Grove, Illinois and the assignment has been previously submitted to the Patent and Trademark Office.
- ☐ This application is NOT assigned.
- ☐ Assignment being submitted under separate cover. Assignment should be directed to Box ASSIGNMENTS.

Fees

- ☒ Pursuant to 35 CFR 1.18(a), (b) and (c), the issue fee due in this application is \$700.00.
- ☒ The publication fee due in this application is \$300.00
- ☐ Advance Order - \_\_\_\_\_ # of Copies

In re Appln. of Rosseau et al.  
Application No. 10/805,939

Payment of Fees

- ☐ A check in the amount of \$
- ☒ Charge Deposit Account No. 07-0181 for any fee deficiency. A duplicate copy of this request is attached.
- ☒ Charge Deposit Account No. 07-0181 in the sum of \$1,000.00. A duplicate copy of this request is attached.

Respectfully submitted,



Brian C. Rupp, Reg. No. 85,665  
Attorney for Applicant(s)  
GARDNER CARTON & DOUGLAS LLP  
191 N. Wacker Drive, Suite 3700  
Chicago, IL 60606-1698  
(312) 569-1000 (telephone)  
(312) 569-3000 (facsimile)  
Customer No.: 08968

Date: July 28, 2006